

PROB 12C(e)
(04/08)

September 16, 2013

**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Johnny Joseph Bonds (English)

Dkt No.: 07CR00072-001-JAH

Reg. No.: 00840-298

Name of Sentencing Judicial Officer: The Honorable John A. Houston, U.S. District Judge

Original Offense: 18 U.S.C. § 2252(a)(4)(B), Possession of Visual Depictions of Minors Engaged in Sexually Explicit Conduct, a Class C felony.

Date of Revocation Sentence: June 3, 2013

Sentence: Seven (7) months custody; three (3) years supervised release. (*Special Conditions: Refer to Judgment and Commitment Order.*)

Type of Supervision: Supervised Release

Date Supervision Commenced: September 13, 2013

Asst. U.S. Atty.: Anne K. Perry

Defense Counsel: Gary Burcham
(Appointed)
619-699-5930

Prior Violation History: Yes. See prior Court Correspondence.

PETITIONING THE COURT

TO ISSUE A NO-BAIL BENCH WARRANT

The probation officer believes that the offender has violated the following condition(s) of supervision:

CONDITION(S)

ALLEGATION(S) OF NONCOMPLIANCE

(Mandatory Condition)

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. Submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter. Testing requirements will not exceed submission of more than four (4) drug tests per month during the term of supervision, unless otherwise ordered by the court. (nv3)

1. On or about September 13, 2013, Johnny Bonds used cocaine as evidenced by his admission to the probation officer on September 16, 2013.
2. On or about September 13, 2013, Johnny Bonds was in possession of a controlled substance, *Viagra*, without a known valid prescription.

Grounds for Revocation: The undersigned met with Mr. Bonds at his residence on September 16, 2013, at which time he admitted to having used "crack" cocaine on or around September 13, 2013. Mr. Bonds opened his front door and handed this officer a glass pipe and cocaine residue, which had been on his bed and in plain

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sight. Upon an inspection of the offender's room, a glass vile was also found on his bed, which Mr. Bonds admitted he used to facilitate his drug use. As to allegation 2, a single purple pill was found in the offender's room, which he identified as *Viagra*. He was unable to provide proof of a prescription for this medication. Probation confiscated the illicit substances and the paraphernalia without incident.

(Special Condition)

Abstain from the use of alcohol.

3. On September 13, 2013, Mr. Johnny Bonds consumed alcohol as evidenced by his admission to the probation officer on September 16, 2013.

Grounds for Revocation: Mr. Bonds reported to the probation officer on September 13, 2013, at which time he admitted to having consumed alcohol on September 13, 2013. He added he drank at least two 32 ounce containers of beer. During an inspection of Mr. Bonds' residence on September 16, 2013, he presented the two beer cans, one which had beer still inside of the container. Probation disposed of the contents in the sink.

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VIOLATION SENTENCING SUMMARY**JUSTIFICATION FOR BENCH WARRANT**

Mr. Bonds is a registered sex offender, who recently removed his GPS bracelet, which resulted in the revocation of his supervised release on June 3, 2013. On the day of his release from custody with the Bureau of Prisons for this revocation, he consumed alcohol and smoked "crack" cocaine. Further, on September 16, 2013, he displayed aggression in the presence of this officer, which is uncharacteristic behavior from past interactions. In light of the above, Mr. Bonds' criminal past combined with his brazen decision to use illicit drugs, consume alcohol, and act aggressively, so early into his new term of supervision, indicates his risk is unknown, and a bench warrant is appropriate.

RECOMMENDATION

Mr. Bonds' behavior alleged herein is consistent with his behavior as the basis for his previous revocation. He reportedly consumed alcohol on the very day of his release from custody, and used illicit substance shortly thereafter. In light of this behavior, the undersigned recommends that supervised release be revoked and a sentence at the high end (nine months) of the revocation range be invoked. Three years supervised release to follow is recommendation under the same conditions previously ordered.

It is noted that the U.S. Probation Officer supervising this offender will be amending this petition expeditiously in order to provide the Court with the Violation Worksheet and information thoroughly covering the offender's supervision adjustment, personal history and characteristics, sentencing options, and the sentencing recommendation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 16, 2013

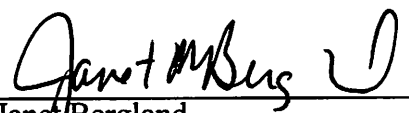
Respectfully submitted:

DAVID J. SULTZBAUGH
CHIEF PROBATION OFFICER

by


Michael Morabe
Senior United States Probation Officer
619-557-5389

Reviewed and approved:


Janet Bergland
Supervising U.S. Probation Officer

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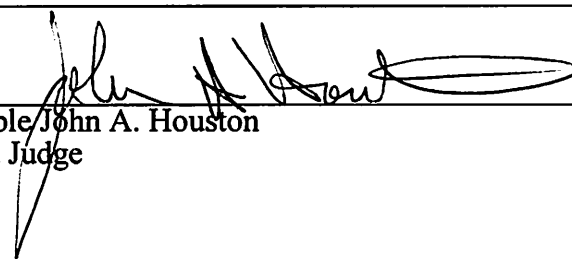
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THE COURT ORDERS:

☒ A NO-BAIL BENCH WARRANT BE ISSUED BASED UPON A FINDING OF PROBABLE CAUSE TO BRING THE OFFENDER BEFORE THE COURT TO SHOW CAUSE WHY SUPERVISED RELEASE SHOULD NOT BE REVOKED FOR THE ALLEGED VIOLATIONS.

☐ THE ISSUANCE OF A SUMMONS ORDERING THE OFFENDER TO APPEAR BEFORE THE COURT ON ???, AT ???, TO SHOW CAUSE WHY SUPERVISED RELEASE SHOULD NOT BE REVOKED.

☐ Other _____



The Honorable John A. Houston
U.S. District Judge

Date 9-16-13